

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/987,362
Attorney Docket No. Q67261

REMARKS

I. Introduction

Claims 1-28 are all the claims pending in the application, and claims 1-28 have been examined. The Examiner acknowledges that claims 6, 7, 9, 16-21, and 23-27 contain allowable subject matter. However, the Examiner rejects claims 1-15, 22, and 28.

Specifically, the Examiner rejects claims 1-10 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Additionally, the Examiner rejects claims 1-3, 11-12, and 22 under 35 U.S.C. § 102(e) as allegedly being anticipated by Michelson, U.S. Patent No. 6,204,874. The Examiner rejects claims 4, 5/4, 13, and 14/13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Michelson. Furthermore, the Examiner rejects claims 5/1-5/3, 8, 10, 14/11, 14/12, and 15 as allegedly being unpatentable over Michelson in view of Taylor, Jr. et al., U.S. Patent No. 6,365,305 (hereinafter "Taylor"). The Examiner rejects claim 28 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Michelson in view of Baek et al., U.S. Patent No. 5,754,128 (hereinafter "Baek").

Applicant overcomes the aforementioned rejections as follows.

II. Allowable Subject Matter

The Examiner objects to claims 6, 7, 9, 16-21, and 23-27 as being dependent upon a rejected base claim, but indicates that claims 6, 7, 9, 16-21, and 23-27 would be allowable if rewritten in independent form including all of the limitations of the base claim and any

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intervening claims. Since Applicant overcomes the art rejections, for at least the reasons set forth below, Applicant withholds rewriting any claims in independent form at this time.

Additionally, the Examiner indicates that the § 112, second paragraph, rejection of claims 6, 7, and 9 must be overcome before claims 6, 7, and 9 will be allowed. Applicant overcomes the § 112, second paragraph, rejection for at least the reasons set forth below.

Finally, in view of the Examiner's statement of reasons for allowable subject matter, Applicant notes that each claim, as a whole, is patentable by virtue of the entirety of the features recited therein.

III. Claim Rejections -- 35 U.S.C. § 112, Second Paragraph

Claims 1-10 stand rejected under 35 U.S.C. § 112, second paragraph, because, allegedly, "the claim language in claim 1 does not clearly set forth the claimed limitations such that it is not known what the applicant is intended to claim". Based on a brief conversation between Applicant's representatives and the Examiner, the Examiner characterized the term "containing" in line 1 of claim 1 as unusual and confusing. Therefore, Applicant amends claim 1 to recite that the package of claim 1 **comprises** the thereafter recited elements, thereby overcoming the rejection under § 112, second paragraph. Consequently, the rejection of claims 2-10 under § 112, second paragraph, is likewise overcome at least by virtue of their dependency from claim 1.

Additionally, Applicant amends claim 1 (*see also* claim 11) to further clarify that the at least one set of stacked recording media **includes** an image-receiving sheet, etc.

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IV. Claim Rejections -- 35 U.S.C. § 102(e)

Claims 1-3, 11-12, and 22 stand rejected under § 102(e) as allegedly being anticipated by Michelson. Applicant amends claim 1 to incorporate the subject matter of claim 5 and the allowable subject matter of claim 6. Likewise, Applicant amends claim 11 to incorporate the subject matter of claim 15 and the allowable subject matter of claim 16. Additionally, Applicant cancels claims 5-6 and 15-16 in order to avoid redundancy, and Applicant amends claims 7-10 and 17-20 to correct their dependencies. Applicant respectfully submits that these amendments overcome the rejection of claims 1 and 11 under 35 U.S.C. § 102(e) and places claims 1 and 11 in condition for immediate allowance.

Consequently, the rejection of claims 2-3, 12 and 22 is overcome, and claims 2-3, 12, and 22 are in condition for immediate allowance, at least by virtue of their dependency.

V. Claim Rejections -- 35 U.S.C. § 103(a)

A. *Claims 4, 5/1-4, 8, 10, 13, 14/11-13 and 15*

Claims 4, 5/4, 13, and 14/13 stand rejected under § 103(a) as allegedly being unpatentable over Michelson. Furthermore, claims 5/1-5/3, 8, 10, 14/11, 14/12, and 15 stand rejected under § 103(a) as allegedly being unpatentable over Michelson and Taylor. In view of the aforementioned amendments to claims 1, 7-11, and 17-20, as well as the cancellation of claims 5-6 and 15-16, the rejections of claims 4, 5/1-4, 8, 10, 13, 14/11-13 and 15 are overcome, and claims 4, 5/1-4, 8, 10, 13, 14/11-13 and 15 are in condition for immediate allowance at least by virtue of their dependency.

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B. Claim 28

Claim 28 stands rejected under § 103(a) as allegedly being unpatentable over Michelson in view of Baek. Applicant amends claim 28 to recite that "an interleaving sheet is inserted between said recording medium feed cassette and an image receiving layer of an image-receiving sheet which is the uppermost sheet of said at least one set of preset recording media and between said recording medium feed cassette and a toner layer of a transfer sheet which is the lowermost sheet of said at least one set of preset recording media" and that "said interleaving sheets extend outward from at least one side of said at least one set of preset recording media". Thus, Applicant respectfully submits that the rejection of claim 28 is overcome based on a rationale analogous to that discussed above for claim 11.

VI. Priority

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, including receipt of both priority documents.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 5-6 and 15-16 are canceled.

The claims are amended as follows:

1. (Amended) A package containing comprising at least one set of stacked recording media consisting of including an image-receiving sheet having an image-receiving layer which is fed to a recording medium holding member and a plurality of transfer sheets each having a toner layer which are successively fed to the recording medium holding member so that the toner layer of each transfer sheet may be brought into contact with the image-receiving layer of the image-receiving sheet, said image-receiving sheet and said transfer sheets being stacked in order of feed to the recording medium holding member,

wherein an interleaving sheet is inserted between every adjacent recording media, and
wherein said interleaving sheets extend outward from at least one side of said set of
recording media.

7. (Amended) A package according to claim 6 claim 1, wherein said interleaving sheet has at least one perforation in the extension thereof, and said interleaving sheet is fixed to a recording apparatus by making use of said perforation.

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8. (Amended) A package according to ~~claim 5~~ claim 1, wherein an interleaving sheet is inserted between said packaging material and said image-receiving layer of said image-receiving sheet which is the uppermost sheet of said set or between said packaging material and said toner layer of the lowermost transfer sheet.

9. (Amended) A package according to ~~claim 5~~ claim 1, wherein said interleaving sheet is made of the same material as the substrate of said recording media.

10. (Amended) A package according to ~~claim 5~~ claim 1, wherein at least the side of said interleaving sheet that is in contact with said recording media has the same properties or conditions as the side of said recording media opposite to said image-receiving layer or said toner layer.

11. (Amended) A feed cassette comprising a cassette body and preset recording-media containing a set of stacked recording media ~~consisting of~~ including an image-receiving sheet having an image-receiving layer which is fed to a recording medium holding member and a plurality of transfer sheets each having a toner layer which are successively fed to the recording medium holding member so that the toner layer of each transfer sheet may be brought into contact with the image-receiving layer of the image-receiving sheet, said image-receiving sheet and said transfer sheets being stacked in an order of feeding to the recording medium holding member,

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wherein an interleaving sheet is inserted between said cassette body and the image-receiving layer of said image-receiving sheet which is the uppermost sheet of said set and between said cassette body and the toner layer of the lowermost transfer sheet, and
wherein said interleaving sheets extend outward from at least one side of said set of recording media.

17. (Amended) A recording medium feed cassette according to ~~claim 16~~ claim 11, wherein said interleaving sheet extends outward from the side of said set of recording media opposite to the side where a pickup mechanism of a recording apparatus is applied.
18. (Amended) A recording medium feed cassette according to ~~claim 16~~ claim 11, wherein said recording media stick out from the side of said interleaving sheets where a pickup mechanism of a recording apparatus is applied.
19. (Amended) A recording medium feed cassette according to ~~claim 16~~ claim 11, wherein said cassette body has a member for fixing the extension of the interleaving sheets.
20. (Amended) A recording medium feed cassette according to ~~claim 15~~ claim 11, wherein a cushioning material for restraining movement of the recording media in the cassette body is interposed between said interleaving sheet and the cassette body.

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28. (Amended) A recording apparatus comprising a recording medium holding member which moves while holding a recording medium thereon and a recording head which moves in the direction perpendicular to the moving direction of said recording medium holding member while irradiating said recording medium with a laser beam spot, wherein said recording apparatus has a cassette holder which supports a recording medium feed cassette containing at least one set of preset recording media stacked in order of feed to said recording medium holding member, said recording media being fed from said cassette mounted on said cassette holder to said recording medium holding member,

wherein an interleaving sheet is inserted between said recording medium feed cassette and an image receiving layer of an image-receiving sheet which is the uppermost sheet of said at least one set of preset recording media and between said recording medium feed cassette and a toner layer of a transfer sheet which is the lowermost sheet of said at least one set of preset recording media, and

wherein said interleaving sheets extend outward from at least one side of said at least one set of preset recording media.